

Posted: 01/17/2014



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STATE OF DELAWARE
BOARD OF MASSAGE AND BODYWORK

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PUBLIC MEETING MINUTES: Board of Massage and Bodywork
MEETING DATE AND TIME: Thursday, November 21, 2013 at 1:30 p.m.
PLACE: 861 Silver Lake Boulevard, Dover, Delaware
Conference Room B, second floor Cannon Building
MINUTES APPROVED: January 16, 2014

MEMBERS PRESENT

Holly Overmyer, Professional Member, President (departed meeting at 2:40p)
Sandra Jachimowski, Professional Member, Vice-President
Kari Ainsworth, Professional Member
Gordon Gelley, Public Member
Patricia Schumann-Draper, Professional Member
Sharon Harris, Public Member, Secretary

MEMBERS ABSENT

Rachel Dunning, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
Maggie Strauss, Administrative Specialist II

OTHERS PRESENT

Gilda Bynum

CALL TO ORDER

Ms. Overmyer called the meeting to order at 1:33 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes from the October 17, 2013 meeting. A motion was made by Mr. Gelley, second by Ms. Harris, to approve the minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS

N/A

NEW BUSINESS

Ratification of Massage Technician Certifications

A motion was made by Ms. Harris, second by Mr. Gelley, to approve the ratification of the Massage Technician applications of: Alexandra E. Boyle, You Wang, Abigail M. Glover, Ires Overturf, Jennifer L. Addy, Gilbert M. Clampitt, Min Zhang, Ana-Alicia Pizarro. The motion was unanimously carried.

Ratification of License Massage Therapists

A motion was made by Ms. Harris, second by Mr. Gelley, to approve the ratification of the Massage Therapist Certifications of: Laura J. Toth, Karen A. Thibault, Erin L. Shivone, Brittany L. Morphis, Diana Bozzo. The motion was unanimously carried.

Continuing Education

A motion was made by Ms. Harris, second by Mr. Gelley, to approve the continuing education request of AMTA (Relief within Reach: Massage and Stress) as requested. The motion was unanimously carried.

Review of Applications for Final Denial

A re-review of the application for Lijun Zhang found that Ms. Zhang did not respond to the Boards proposal to deny her application. No response was received, and no hearing was requested. Therefore, a motion was made by Ms. Draper, second by Ms. Harris to deny the application for a Certified Massage Technician license..

After re-review of the application Xiaoxia Zhao, a motion was made by Ms. Draper, second by Ms. Overmeyer to allow a continuance hearing to be scheduled for Ms. Zhao. If Ms. Zhao does not respond to the request by appearing at the hearing *and* by presenting a disposition of charges appearing on her criminal history report, the Board will make a vote to final deny the application of Ms. Zhao for Certified Massage Therapist. The motion was unanimously carried.

Complaint Status

20-09-10-Assigned to Hearing Officer
20-13-10-Office of the Attorney General
20-14-10-Assigned
20-16-10-Assigned
20-02-11-Office of the Attorney General
20-03-11-Office of the Attorney General
20-04-11-Assigned to Hearing Officer
20-05-11-Assigned to Hearing Officer
20-08-11-Office of the Attorney General
20-01-12-Assigned
20-02-12-Office of the Attorney General
20-03-12-Office of the Attorney General
20-07-12-Assigned
20-08-12-Office of the Attorney General
20-09-12-Office of the Attorney General
20-10-12-Assigned
20-11-13-Office of the Attorney General
20-12-13-Office of the Attorney General
20-13-13-Office of the Attorney General
20-14-13-Office of Attorney General
20-16-13-Assigned
20-17-13- Office of the Attorney General
20-18-13- Office of the Attorney General

20-19-13- Office of the Attorney General

20-20-13-Assigned

20-21-13 – Assigned

Review of Applications-Eileen Kelly

A motion was made by Mr. Gelley, second by Ms. Harris, to approve the Massage Technician applications of Creola T. Jones and Alicia M. Saunders and the Massage Therapist application of Jay Dobrzynski. The motion was unanimously carried.

A motion was made by Mr. Gelley, second by Ms. Harris to propose to deny the Massage Therapist licenses of Xia Liu, Darren L. Jenkins, and to propose to deny the Massage Technician license of Gilda Bynum. The motion was unanimously carried.

A motion was made by Mr. Gelley, second by Ms. Harris to table the Massage Technician application of Casey Hardy pending receipt of disposition of charges on criminal history report. The motion was unanimously carried.

Audit Review

A motion was made by Mr. Gelley, second by Ms. Harris to approve the continuing education submission by Shelby Conover. The motion was unanimously carried.

Discussion of Rules and Regulations for Chaperone Requirements

The Board discussed the need to differentiate between in-patient and out-patient status on the chaperone forms for clients. Ms. Draper indicated that typically, in-patient treatment is done by the same therapist for the entire length of the treatment, and that a signature at every session would be a burden on the parent/guardian of the minor receiving treatment. Ms. Draper also indicated that a verbal agreement should require 2 people to hear the authorization, and both of those signatures be on the consent form. Ms. Kelly advised the Board that each hospital/facility has its own policy on authorizing patient care, but that state laws override that policy. She suggested that a time frame be indicated on the form. Ms. Kelly went on to indicate that there is a need for a more clearly defined rule.

Licensure of Establishments

Ms. Overmeyer made the suggestion that any place that offers massage as a service be licensed; this would then encompass shops, kiosks, and in-home service. Ms. Harris stated that this would not just help with the human trafficking issue, but with public health and safety as well. Ms. Overmeyer indicated that although she understands the need for better regulations on the profession, she worries about the livelihood of licensed practitioners that do out-calls. Ms. Jachimowski stated that there are a lot of obstacles to deal with in regards to this issue, people will either follow the rules or they won't. Ms. Kelly suggested talking to other Boards who track establishments, and look at those rules & regulations.

Education Standards

Ms. Kelly informed the Board that the education requirements for the profession were very vague. The verbiage needs to be changed to reflect who the school or program is accredited by. The curriculum has to model Department of Education standards, and be approved by an accreditation company. Ms. Kelly again suggested contacting a Cosmetology Board member for insight.

Ms. Jachimowski made a motion, second by Ms. Overmeyer to continue the topic on the next months meeting agenda, and to form a subcommittee to focus solely on these two topics.

CORRESPONDENCE

N/A

OTHER BUSINESS

N/A

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting is scheduled for November 21, 2013 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Ms. Dunning, seconded by Mr. Gelley, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 3:17 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Theresa Newman". The signature is written in a cursive, flowing style.

Theresa Newman
Administrative Specialist II